

EXHIBIT 1



Entered on Docket
May 29, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

) Case No. BK-S-06-10725-LBR
) Case No. BK-S-06-10726-LBR
) Case No. BK-S-06-10727-LBR
) Case No. BK-S-06-10728-LBR
) Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

Date: April 26, 2007
Time: 9:30 a.m.

Affecting:

☐ All Cases

or Only:

- ☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

**ORDER SUSTAINING THIRD OMNIBUS OBJECTION OF THE USACM
LIQUIDATING TRUST TO CLAIMS ASSERTING SECURED STATUS**

The USACM Liquidating Trust (the "USACM Trust") filed its Third Omnibus Objection to Claims Asserting Secured Status [DE 3137] (the "Objection") on March 20, 2007. Appropriate notice of the Objection was given. No responses were filed with this Court. The Objection came before the Court for hearing on April 26, 2007 at 9:30 a.m.

Good cause appearing, it is

ORDERED:

- Sustaining the USACM Trust's Third Omnibus Objection to Claims Asserting Secured Status;
- Reclassifying the Proofs of Claim listed on Exhibit A attached as general unsecured claims; and
- Reserving the right of any party in interest, including the USACM Trust, to further object to any and all claims listed on Exhibit A attached as unsecured claims or otherwise, whether or not the subject of this Objection.

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PREPARED AND SUBMITTED:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
Attorneys for USACM Liquidating Trust

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:
 - ☐ approved the form of this order;
 - ☐ waived the right to review the order;
 - ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
 - ☐ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b).
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order.
- ☒ No opposition was filed and no other party or counsel appeared at the hearing.

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
Attorneys for USACM Liquidating Trust

3rd Objection to Claims Asserting Secured Status - Reclassify as General Unsecured Claims

	<u>Claimant</u>	<u>Proof of Claim Number</u>	<u>Date Filed</u>	<u>Proof of Claim Amount</u>	<u>Proof of Claim Classification</u>
1	Benjamin, Philip & Maureen Po Box 376 Indian Springs, NV 89018-0376	10725-01956	1/12/2007	\$55,381.90	S
2	Benjamin, Philip & Maureen Po Box 376 Indian Springs, NV 89018-0376	10725-02320	1/13/2007	\$55,381.90	S
3	Bennett, Alan 14225 S Wisperwood Dr Reno, NV 89511	10725-00932	11/2/2006	\$50,000.00	S
4	Bennett, Alan 14225 S Wisperwood Dr Reno, NV 89511	10725-00933	11/2/2006	\$60,000.00	S
5	Benz Ttees For The Benz Family Trust, Bernard & Margaret 1265 Old Foothill Rd Gardnerville, NV 89460	10725-02167	1/12/2007	\$40,683.22	S, U
6	Berkowitz, David M 827 Union Pacific Blvd Pmb 71-404 Laredo, TX 78045	10725-01797	12/18/2006	\$37,353.00	S
7	Berlin, Marjorie Y 3422 Homestead Ave Wantagh, NY 11793-2600	10725-01957	1/10/2007	\$50,000.00	S
8	Berry, William Chad 11136 Acama St Apt 312 Studio City, CA 91602-3067	10725-01360	11/13/2006	\$200,000.00	S
9	Berry, William 11136 Acama St #312 Studio City, CA 91602	10725-01358	11/13/2006	\$200,000.00	S
10	Beryl Winer Family Trust C/O Beryl Winer Trustee 776 Birdbay Way Venice, FL 34285-6142	10725-00540	10/10/2006	\$50,000.00	S
11	Beryl Winer Family Trust C/O Beryl Winer 776 Birdbay Way Venice, FL 34285	10725-00541	10/10/2006	\$60,000.00	S

12	Bevan, Donald G & Bette Coleen 1553 Springwater Dr Orem, UT 84058-5868	10725-00962	11/1/2006	\$43,000.00	S
13	Bevan, Donald G & Bette Coleen 1553 Springwater Dr Orem, UT 84058-5868	10725-00963	11/1/2006	\$57,000.00	S
14	Beverly Stiles Revocable Trust Joe Laxague Esq Cane Clark Llp 3272 E Warm Springs Las Vegas, Nv 89120	10725-00856	11/13/2006	\$12,500.00	S
15	Billy Shope Jr Family Lp 2833 Maryland Hills Dr Henderson, NV 89052	10725-00156	8/28/06	\$101,493.06	S
16	Billy Shope Jr Family Lp 2833 Maryland Hills Dr Henderson, NV 89052	10725-00171	8/28/2006	\$101,791.67	S
17	Billy Shope Jr Family Lp 2833 Maryland Hills Dr Henderson, NV 89052	10725-00191	9/8/2006	\$101,493.06	S
18	Billy Shope Jr Family Lp 2833 Maryland Hills Dr Henderson, Nv 89052	10725-00213	9/25/2006	\$101,791.67	S
19	Bishop, Valon Po Box 50041 Reno, NV 89513	10725-01671	12/11/2006	\$50,000.00	S
20	Bishop, Valon Po Box 50041 Reno, NV 89513	10725-01745	12/11/2006	\$50,000.00	S
21	Boerio, Charles J & Patricia N 1717 Damon Rd Carson City, Nv 89701-4875	10725-01356	11/13/2006	\$2,702.18	S
22	Boerio, Charles 1717 Damon Rd Carson City, NV 89701	10725-01357	11/13/2006	\$50,000.00	S
23	Boggs Ttee Of The Charles S Boggs Living Tr, Charles S 406 Pearl St Boulder, CO 80302-4931	10725-02109	1/11/2007	\$50,000.00	S

24	Bolding, William & Carolyn 3961 Arizona Ave Las Vegas, NV 89104	10725-01241	11/9/2006	\$50,466.67	S
25	Bolding, William & Carolyn 3961 Arizona Ave Las Vegas, NV 89104	10725-01250	11/8/2006	\$50,466.67	S
26	Bolding, William & Carolyn 3961 Arizona Ave Las Vegas, NV 89104	10725-01251	11/9/2006	\$50,505.56	S
27	Bolding, William & Carolyn 3961 Arizona Ave Las Vegas, Nv 89104	10725-01275	11/9/2006	\$48,047.32	S
28	Bolino Family Revocable Trust Joe Laxague Esq Cane Clark Llp 3272 E Warm Springs Las Vegas, Nv 89120	10725-00857	11/13/2006	\$100,000.00	S
29	Bonfiglio & Associates Ltd Pension Planship 8635 West Sahara Ave Pmb 220 Las Vegas, NV 89117	10725-01860	1/4/2007	\$75,000.00	S
30	Bonnema, Chris Po Box 877 Templeton, CA 93465	10725-00763	10/23/2006	\$86,608.00	S, U
31	Bonnema, Gary Po Box 8649 Horseshoe Bay, TX 78657	10725-01474	11/16/2006	\$50,516.67	S
32	Boyce 1989 Trust C/O Kathleen A Boyce Trustee 16865 Rue Du Parc Reno, NV 89511-4575	10725-02323	1/13/2007	\$304,300.00	S, P, U
33	Boyce II, William 3448 Monte Carlo Dr Las Vegas, NV 89121	10725-01439	11/14/2006	\$18,315.59	S, P
34	Brant Trust Dated 12/22/92, Raymond F & Ann L C/O Raymond F Brant Trustee PO Box 728 Diablo, CA 94528	10725-02065	1/11/2007	\$51,562.49	S, U
35	Brauer Ira, Nancy 2222 Albion St Denver, CO 80207-3708	10725-01155	11/9/2006	\$90,998.45	S

36	Brauer, Nancy 2222 Albion St Denver, CO 80207	10725-01227	11/9/2006	\$75,000.00	S
37	Brehmer, Hannah 188 Beacon Hill Dr Ashland, OR 97520	10725-01445	11/14/2006	\$298,569.00	S
38	Brennan, Gary 3496 Pueblo Way Las Vegas, NV 89109	10725-00804	10/30/2006	\$250,000.00	S
39	Brennan, Gary 3496 Pueblo Way Las Vegas, NV 89109-3337	10725-00803	10/30/2006	\$234,000.00	S
40	Brines Revocable Family Trust U/A Dtd 11/5/94, Michael R & Cindy G C/O Michael R & Cindy G Brines Ttees 4935 El Sereno Ave La Crescenta, CA 91214-3018	10725-01918	1/10/2007	\$385,559.79	S, U
41	Brines, Michael R & Cindy G 4935 El Sereno Ave La Crescenta, CA 91214-3018	10725-02431	1/11/2007	\$385,559.79	S